HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 645 OF 2006

Between:

P. Eshwaraiah & others

..... Petitioners

AND

The Government of India,
Ministry of Urban Development & Poverty &
Deviation Department of Urban Development &
Poverty Alleviation,
New Delhi
Rep. by its Secretary & others

.....Respondents

:: O R D E R ::

Counsel for the petitioners : Shri T. Sudhakar Reddy

Counsel for the respondent No.2 : Special Government Pleader

Dated: 05.01.2007

Per G.S.SINGHVI, CJ

In this petition, the petitioners have made the following substantive prayer:

> " It is therefore prayed that this Hon'ble Court may be pleased to issue an order, direction or writ more particularly one in the nature of writ of mandamus to the respondents to consider the scheme of rehabilitation of the petitioner as per the plans filed by the Municipal Corporation of Hyderabad dated 4.5.1996 before this Hon'ble Court or in any other suitable place with a further direction to the respondents not to resort to any coercive steps of evicting the petitioners from the place of their business till the scheme of their rehabilitation is finalized by the respondents, while setting aside notices issued by Municipal Corporation of Hyderabad to the petitioners dated 3.1.2006 and 5.1.2006 declaring the action of the respondents as illegal, arbitrary, unconstitutional and violative of principles of natural justice or otherwise, the petitioners would be pout to irreparable and irretrievable loss and injury of loosing their liveliood."

Shri T. Sudhakar Reddy says that in view of the interim orders passed by this Court in Writ Petition No.20228 of 2005 and connected matters and the consequential actions taken by the authorities of the Municipal Corporation of Hyderabad including framing of hawkers policy, declaration of hawkers zones and the latest proceedings dated 02.01.2007 filed in the Court by the learned Special Government pleader, the grievance of his clients no longer survives and the writ petition may be disposed of as infructuous.

Learned Special Government Pleader says that he does not have any objection.

In view of the above, the writ petition is disposed of as infructuous. Liberty is, however, given to the petitioners or any one of them to represent to Additional Commissioner (Planning), Municipal Corporation of Hyderabad for redressal of their/his grievance, if any, in future.

G.S.SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

05.01.2007
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